

REFERENCE TITLE: ballot measures; publicity pamphlets

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
Second Regular Session  
2008

# HB 2813

Introduced by  
Representative Kavanagh

AN ACT

AMENDING SECTION 19-123, ARIZONA REVISED STATUTES; RELATING TO INITIATIVE AND REFERENDUM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 19-123, Arizona Revised Statutes, is amended to  
3 read:

4       19-123. Publicity pamphlet: printing: distribution: public  
5       hearings

6       A. When the secretary of state is ordered by the legislature, or by  
7 petition under the initiative and referendum provisions of the constitution,  
8 to submit to the people a measure or proposed amendment to the constitution,  
9 the secretary of state shall cause to be printed, at the expense of the  
10 state, except as otherwise provided in this article, a publicity pamphlet,  
11 which shall contain:

12       1. A true copy of the title and text of the measure or proposed  
13 amendment. Such text shall indicate material deleted, if any, by printing  
14 such material with a line drawn through the center of the letters of such  
15 material and shall indicate material added or new material by printing the  
16 letters of such material in capital letters.

17       2. The form in which the measure or proposed amendment will appear on  
18 the ballot, the official title, the descriptive title prepared by the  
19 secretary of state and the number by which it will be designated.

20       3. The arguments for and against the measure or amendment.

21       4. For any measure or proposed amendment, a legislative council  
22 analysis of the ballot proposal as prescribed by section 19-124.

23       5. The report of the commission on judicial performance review for any  
24 justices of the supreme court, judges of the court of appeals and judges of  
25 the superior court who are subject to retention.

26       6. The summary of a fiscal impact statement prepared by the joint  
27 legislative budget committee staff pursuant to subsection D of this section.

28       B. The secretary of state shall mail one copy of the publicity  
29 pamphlet to every household that contains a registered voter. The mailings  
30 may be made over a period of days but shall be mailed in order to be  
31 delivered to households before the earliest date for receipt by registered  
32 voters of any requested early ballots for the general election.

33       C. NOTWITHSTANDING SUBSECTION B OF THIS SECTION, IN A COUNTY WITH A  
34 POPULATION OF TWO MILLION OR MORE PERSONS, THE SECRETARY OF STATE SHALL MAIL  
35 TO EVERY HOUSEHOLD THAT CONTAINS A REGISTERED VOTER A POSTCARD OR OTHER  
36 SIMILAR MAILER THAT INCLUDES ALL OF THE FOLLOWING:

37       1. THE SECRETARY OF STATE'S WEBSITE ADDRESS AS A SOURCE FOR VIEWING  
38 THE PUBLICITY PAMPHLET.

39       2. A TOLL-FREE TELEPHONE NUMBER TO CALL AND REQUEST THAT A COPY OF THE  
40 PUBLICITY PAMPHLET BE MAILED TO THE PERSON REQUESTING IT.

41       3. A BOX FOR THE PERSON TO MARK AND RETURN BY MAIL TO INDICATE THE  
42 PERSON'S REQUEST FOR A COPY OF THE PUBLICITY PAMPHLET.

1       D. THE POSTCARD PRESCRIBED IN SUBSECTION C OF THIS SECTION SHALL  
2 INCLUDE PREPAID POSTAGE FOR THOSE PERSONS WHO MARK THEIR REQUEST FOR A MAILED  
3 PUBLICITY PAMPHLET. THE PUBLICITY PAMPHLET SHALL BE MAILED AS SOON AS IS  
4 PRACTICABLE AFTER RECEIPT OF ANY REQUEST.

5       E. Sample ballots for both the primary and general elections shall  
6 include a statement that information on how to obtain a publicity pamphlet  
7 for the general election ballot propositions is available by calling the  
8 secretary of state. The statement shall include a telephone number and  
9 mailing address of the secretary of state.

10      F. On certification of an initiative measure as qualified for the  
11 ballot, the secretary of state shall hold or cause to be held at least three  
12 public meetings on the ballot measure. Hearings shall be held in at least  
13 three different counties and shall be held before the date of the election on  
14 the measure. The hearings shall provide an opportunity for proponents,  
15 opponents and the general public to provide testimony and request  
16 information. Hearings may be scheduled to include more than one qualified  
17 ballot measure and shall include a fiscal impact presentation on the measure  
18 by the joint legislative budget committee staff. The joint legislative  
19 budget committee staff shall prepare a summary of the fiscal impact for each  
20 ballot measure, not to exceed three hundred words, for publication in the  
21 publicity pamphlet.